

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN C. DEMATOS, et al)
 Plaintiffs)
)
Vs.)
)
MARSHALL S. HAZARD, et al)
 Defendants)
_____ \

CIVIL ACTION NO.: 05-10372

DEFENDANTS, MARSHALL S. HAZARD, et al,
AUTOMATIC DISCLOSURE

Pursuant to Fed. R. Civ. P. 26(a)(1) and L. R. 26.2(A), the defendants, Marshall S. Hazard, et al, make the following automatic disclosure:

I. Individuals Likely To Have Discoverable Information

1. All named plaintiffs;
2. All named defendants;
3. Eban Morandi;
4. Robert E. O'Neil, Jr.;
5. Officer Richard J. Pacheco;
6. Joseph Tschupp;
7. Dr. William Fishbaugh, Jr., and
8. Dr. Murray Goldman.

The defendants will supplement this list as additional names of individuals become known.

II. Documents That Are Potentially Relevant To The Proceeding

1. Motor Vehicle Crash Police Report dated January 17, 2002.
2. Statement of Richard J. Pacheco;

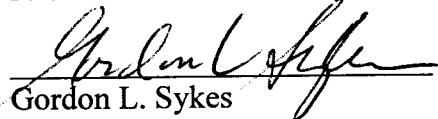
3. Statement of Marshall S. Hazard;
4. Statement of John DeMatos;
5. Statement of Eban Morandi;
6. Statement of Joseph Tschupp;
7. Citation given to Marshall Hazard on January 17, 2002;
8. Photographs of plaintiff, Kellie Arruda's, alleged injuries;
9. Standard-Times article authored by Curt Brown;
10. Results of civil and criminal action background search on John DeMatos,
and
11. Terminal Manager's report dated January 17, 2002.

III. Insurance Agreements

Available upon request.

By Their Attorneys,

MORRISON MAHONEY LLP



Gordon L. Sykes

BBO# 555580

Brian R. Sullivan

BBO# 648576

MORRISON MAHONEY LLP

10 North Main Street

Fall River, MA 02720

(508) 677-3100

Dated April 25, 2005

Please fill out for operator/non-motorist and all occupants involved		DOB/Age	Sex	26 Seat Pos.	27 Safety System	28 Airbag Status	29 Airbag Switch	30 Eject Code	31 Trap Code	32 Injury Status	33 Transp. Code	Medical Facility
Name (Last First Middle)	Address											
Operator/Non-Motorist	See Above	-----	---	---	0	5	99	0	0	2	2	STILKES
KELLY, ALWDA	1770 ALABAMA STREET FARM ROAD, MI	10/31/78	F	2	0	5	99	0	0	3	2	STILKES
WICKSTROM, EBAN	241 PETERMAN STREET FARM ROAD, MI	03/04/85	M	3	0	5	99	0	2	3	2	STILKES

ie: → 1 → 2

ASH
ALONG

REG EAST

SWCH+2

THROUGH

SWCH+2

If Crash Did Not Occur on a Public Way:

☐ Off-Street Parking Lot

☐ Garage

☐ Mall/Shopping Center

☐ Other Private Way

Crash Narrative:

PLEASE SEE ATTACHED NARRATIVE.

Witnesses:

Name (Last, First, Middle)	Address	Phone #	Statement
TSCHEPP, JOSEPH	342 OLD WESTPORT ROAD	(508) 992 3690	

Property Damage:

Owner (Last, First, Middle)	Address	Phone #	34-Type	Description of Damaged Property

Truck and Bus Information:

Registration # 50821 (From Vehicle Section)

Carrier Name GENERAL TRANSPORTATION SERVICES Carrier Issuing Authority Code 35

Address 51 CINCINNATI AVE City N. KINGSTON St RI Zip 02852

US DOT #: 281716 State Number Issuing State ICC #: 181215 Interstate 36

Cargo Body Type Code 97 Gross Vehicle Weight 238

Trailer Reg #: Reg Type Reg State Reg Year Trailer Length 39

Hazmat Information:

Placard 40 Material 1 digit # 41 Material Name Material 4 digit # Release code 42

Richard J. Puccio Police Officer Name (Please Print)

Richard J. Puccio #3305 Signature

DARTMOUTH P.D. Department

01/17/02 Date

*** STATEMENT AS WRITTEN AND SIGNED BY PTL. R.J. PACHECO ***

"ON 1/17/02, AT APPROXIMATELY 10:16 HRS., I PTL. R. J. PACHECO, ALONG WITH PTL. J. BROOKS, AND R. MEDEIROS WERE DISPATCH TO THE AREA OF RTE 6 EAST BY ASH AWAY FOR A REPORTED SIGNAL FOUR (MVA WITH INJURIES).

UPON MY ARRIVAL, I OBSERVED A LARGE WHITE CONTAINER TRUCK RESTING UPON AN ORANGE U HAUL TRUCK. BOTH VEHICLES CAME TO REST FACING NORTH IN THE CUT THROUGH AT MAINE AVE. BETWEEN THE EAST AND WEST BOUND TRAVEL LANE OF RTE 6. AS I APPROACHED THE LARGE WHITE CONTAINER TRUCK I IMMEDIATELY BECAME AWARE THAT THE DRIVERS SIDE SADDLE TYPE FUEL CELL HAD BEEN RUPTURED. DIESEL FUEL WAS POURING OUT OF THE RUPTURED CELL ONTO THE ROADWAY. I IMMEDIATELY SUMMONED SGT. D. MCGUIRE TO THE ACCIDENT SCENE, AS WELL AS TWO AMBULANCES AND THE FIRE DEPARTMENT.

WITHIN MINUTES, RESCUE ONE AND THE FIRE DEPT. WERE ON SCENE TREATING THE INJURED PARTIES. THE OPERATOR OF VEH. #1 2000 INTERNATIONAL FLEET 4700 BEARING R.I. CON REG 50821 WAS MR. MARSHALL SCOTT HAZARD. MR. HAZARD WAS LODGED UNDERNEATH THE DASHBOARD OF VEH. #1. MR. HAZARD WAS CONSCIOUS AND ALERT. THE PASSENGER TO VEH. #1 MR. ROBERT O'NEILL JR WAS STANDING OUTSIDE OF VEH. #1 ON THE PASSENGER SIDE. I WAS UNABLE TO SPEAK WITH MR. HAZARD AT THE SCENE.

VEH. #2 ,A 1990 TOYOTA UHAUL BOX TYPE BEARING AZ CON REG AA71887, WAS OPERATED BY MR. JOHN DEMATOS. MR. DEMATOS WAS PARTIALLY IN THE DRIVERS COMPARTMENT, WITH HIS LEG OUT OF THE VEHICLE. MR. DEMATOS HAD VISIBLE INJURY TO THE HEAD REGION. THE WINDSHIELD ON THE DRIVERS SIDE OF THE U HAUL TRUCK INDICATED THAT MR. DEMATOS HEAD HAD GONE THROUGH IT.

THE MIDDLE SEAT PASSENGER OF VEH #2, MS. KELLIE ARRUDA, WAS STILL SEATED IN THAT LOCATION AND WAS COMPLAINING OF PAIN ALL OVER. THE THIRD PASSENGER OF VEH. #2 MR. EDAN MORANDI WAS SEATED IN THE PASSENGER SEAT AND COMPLAINED OF RIGHT ARM AND HEAD PAIN. I INQUIRED IF THE OCCUPANTS WERE WEARING SEATBELTS AND THEY INFORMED ME "NO".

I WAS UNABLE TO SPEAK TO MR. DEMATOS DUE TO HIS INJURIES SUSTAINED IN THE ACCIDENT. I WAS ALSO UNABLE TO OBTAIN MR. DEMATOS DRIVERS LICENSE OR THE REGISTRATION TO THE UHAUL TRUCK AT THE SCENE. THE D.E.M. WAS CONTACTED AND ADVISED OF THE DIESEL FUEL LEAK, AS A RESULT FRANK CORP. WAS REQUESTED TO RESPOND AS WELL AS THE STATE D.P.W. FOR FUEL CLEAN UP. RTE 6 TRAFFIC FOR THE EASTBOUND LANE WAS TEMPORARILY SHUT DOWN TO ONE LANE OF TRAVEL. BOTH WEST BOUND TRAVEL LANES WERE TEMPORARILY DIVERTED EAST.

DARTMOUTH TOWING WAS SUMMONED TO REMOVE THE TRUCKS INVOLVED OFF OF THE ROADWAY, AFTER CLEARING THE ACCIDENT SCENE, I RESPONDED TO ST. LUKES HOSPITAL TO SPEAK WITH THE OPERATORS INVOLVED. ONCE AT ST. LUKES I HAD CONVERSATION WITH MR. HAZARD IN THE E.R. MR. HAZARD PROVIDED ME WITH A VERBAL AND WRITTEN STATEMENT AT THIS TIME. I HAD ASKED MR. HAZARD IF HE RECALLED WHAT HAD

HAPPENED. MR. HAZARD STATED " YES". I THEN ASKED MR. HAZARD TO TELL ME WHAT HAD HAPPENED PRIOR TO THE ACCIDENT.

MR. HAZARD STATED "I REMEMBER TRAVELING EAST ON RTE 6 WITH MY PARTNER BOB. WE WERE LOOKING FOR OUR NEXT DELIVERY. I REMEMBER TURNING ON MY LEFT DIRECTIONAL AND LOOKING INTO THE DRIVERS SIDE MIRROR. I DID NOT SEE ANYONE SO I TURNED. I DON'T RECALL ANYTHING AFTER THAT". MR. HAZARD THEN INQUIRED HOW BOB WAS DOING. PLEASE SEE HAZARDS WRITTEN STATEMENT.

WHILE AT ST. LUKES, I ATTEMPTED TO SPEAK WITH OPERATOR #2 MR. DEMATOS. I WAS INFORMED BY E.R. STAFF THAT MR. DEMATOS WAS UNDERGOING SOME TESTS AND WOULDN'T BE AVAILABLE TO SPEAK WITH ME. MS. ARRUDA WAS ALSO IN X-RAY AND UNABLE TO SPEAK WITH ME. MR. MORANDI (PASSENGER TO VEH. #2) WAS SEATED IN THE E.R. WAITING ROOM AND PROVIDED ME WITH BOTH A VERBAL AND WRITTEN STATEMENT. MR. MORANDI STATED THAT THE U HAUL TRUCK OPERATED BY MR. DEMATOS WAS TRAVELING EAST IN THE LEFT TRAVEL LANE. MR. MORANDI FURTHER STATED THAT THE WHITE CONTAINER TRUCK WAS ALSO TRAVELING INTO HE EAST BOUND TRAVEL LANE BUT WAS IN THE RIGHT LANE. MR. MORANDI STATED THAT THE WHITE TRUCK BEGAN TO SLOW DOWN AND HE THOUGHT THE WHITE TRUCK WAS GOING TO TURN RIGHT INTO THE ASH AWAY PARKING LOT. AS MR. DEMATOS BEGAN PASSING THE WHITE CONTAINER TRUCK, THE OPERATOR OF THE WHITE TRUCK DID NOT ACTIVATE HIS DIRECTIONAL AND TURNED LEFT TO MAKE A U TURN ACROSS BOTH EASTBOUND TRAVEL LANES.

ONCE THE WHITE CONTAINER TRUCK HAD TURNED LEFT AND ENTERED THE EAST BOUND (LEFT) TRAVEL LANE THAT MR. DEMATOS OCCUPIED THERE WAS NO TIME TO AVOID AN ACCIDENT. PLEASE SEE MR. MORANDI'S WRITTEN STATEMENT. PLEASE NOTE THE ROADS WERE ALSO WET FROM PAST SNOW AND RAIN FALL.

A WITNESS MR. JOSEPH TSCHUPP STOPPED AND REMAINED ON THE SCENE TO FILL OUT A WITNESS STATEMENT FORM. MR. TSCHUPP STATED THAT HE WAS TRAVELING EAST ON RTE 6. MR. TSCHUPP WAS TRAVELING EAST APPROX 300 FT BEHIND THE WHITE TRUCK. MR. TSCHUPP FURTHER STATED THAT HE OBSERVED THE WHITE TRUCK TRAVELLING EAST ON RTE 6 IN THE RIGHT LANE AND THE U HAUL TRUCK TRAVELING EAST IN THE LEFT LANE. MR. TSCHUPP STATED THAT HE OBSERVED THE WHITE TRUCK BEGIN TO SLOW DOWN, WHICH APPEARED AS IF IT WERE GOING TO TURN RIGHT INTO THE PARKING LOT OF ASH AWAY.

AS THE WHITE TRUCK SLOWED EVEN MORE, THE U HAUL TRUCK BEGAN OVER TAKING THE WHITE TRUCK IN THE LEFT LANE.

MR. TSCHUPP STATED THAT HE THEN OBSERVED THE WHITE TRUCK, WITHOUT A SIGNAL TO WARN OF HIS INTENTION TO TURN, CUT ACROSS THE LEFT LANE. THIS ACTION DID NOT LEAVE THE U HAUL TRUCK ANY ROOM TO AVOID A COLLISION. MR. TSCHUPP ALSO INDICATED THAT THE UHAUL WAS TRAVELING WITHIN THE SPEED LIMIT. PLEASE SEE WITNESS STATEMENT PROVIDED BY TSCHUPP.

TRP. M. SMALLWOOD OF THE MASS STATE POLICE TRUCK TEAM CONDUCTED A TEST OF THE 2000 INTERNATIONAL FLEET TRUCKS LIGHTING SYSTEM. TRP. SMALLWOOD DISCOVERED

HAT THE SIGNAL LIGHTS WERE NON FUNCTIONAL. TRP. SMALLWOOD STATED IT WAS
JNDETERMINED IF THE FAILURE WAS A RESULT OF THE ACCIDENT.

WILL BE ATTEMPTING TO OBTAIN A WRITTEN OPERATORS STATEMENT FROM MR. DEMATOS
WHEN HE IS ABLE TO COMMUNICATE.

MR. HAZARD WAS ISSUED A [REDACTED]
[REDACTED]
[REDACTED] / THIS CITATION WAS HANDED TO MR. HAZARD AT ST. LUKES ALONG WITH HIS
VALLET, CAR KEYS AND LUNCH BAG.

MR. DEMATOS WAS GIVEN A VERBAL WARNING FOR FAILURE TO WEAR SAFETY RESTRAINTS.

SIGNED: PTL. R.J. PACHECO

*** STATEMENT AS WRITTEN AND SIGNED BY MARSHALL S. HAZARD ON 1/17/02 ***
OPERATOR #1

"I MARSHALL HAZARD & MY HELPER BOB WERE TRAVELING TO OUR NEXT STOP, WHEN I
SIGNALLED TO GET INTO THE LEFT LANE A WHICH TIME ALL I REMEMBER WAS GETTING HIT
BY A VEHICLE. I LOOKED INTO MY SIDE MIRROR & SEEN NO VEHICLES I THEN PROCEEDED TO
TURN WHEN AT THIS TIME BOB & I GOT HIM FROM THE SIDE AREA".

SIGNED: MARSHALL S. HAZARD

*** STATEMENT AS WRITTEN AND SIGNED BY JOHN DEMATOS ON 2/1/02 ***
OPERATOR #2

"AS I PROCEEDED DOWN RT. 6 IN THE LEFT LANE I REMEMBER THE TRUCK ATTEMPTING TO CROSS OVER INTO MY LANE I THEN REMEMBER HITTING MY BRAKES AND I WAS KNOCKED OUT ON IMPACT NEXT THING I KNOW I WOKE UP IN THE HOSPITAL".

SIGNED: JOHN DEMATOS

*** STATEMENT AS WRITTEN AND SIGNED BY EBAN MORANDI ON 1/17/02 ***

PASSENGER/VEH. #2

'WE WERE DRIVING DOWN THE ROAD ON THE LEFT LANE. THERE WAS A TRUCK ON THE RIGHT LANE AND IT TOOK A LEFT WIDE TURN TO THE OTHER SIDE OF THE ROAD AND WE DIDN'T KNOW UNTIL HE TURNED. WHEN HE DID IT WAS TOO LATE TO DO ANYTHING. THE ROAD WAS WET AND SLIPPERY TO STOP QUICK. I DON'T RECALL SEEING ANY DIRECTION SIGNALS ON WHEN TRUCK WAS TURNING".

SIGNED: EBAN MORANDI

*** STATEMENT AS WRITTEN AND SIGNED BY JOSEPH TSCHUPP ON 1/17/02 ***
WITNESS

'WHILE DRIVING WEST ON ROUTE 6, I OBSERVED THE WHITE TRUCK ALSO TRAVELING WEST, SLOW DOWN ON WHAT APPEARED TO BE MAKING A TURN INTO ASHAWAYS PARKING LOT. FROM THE RIGHT LANE, HE TURNED LEFT TO CROSS OVER TO THE OTHER SIDE OF ROUTE 6. HE DID NOT SIGNAL NOR GIVE ANY OTHER WARNING.

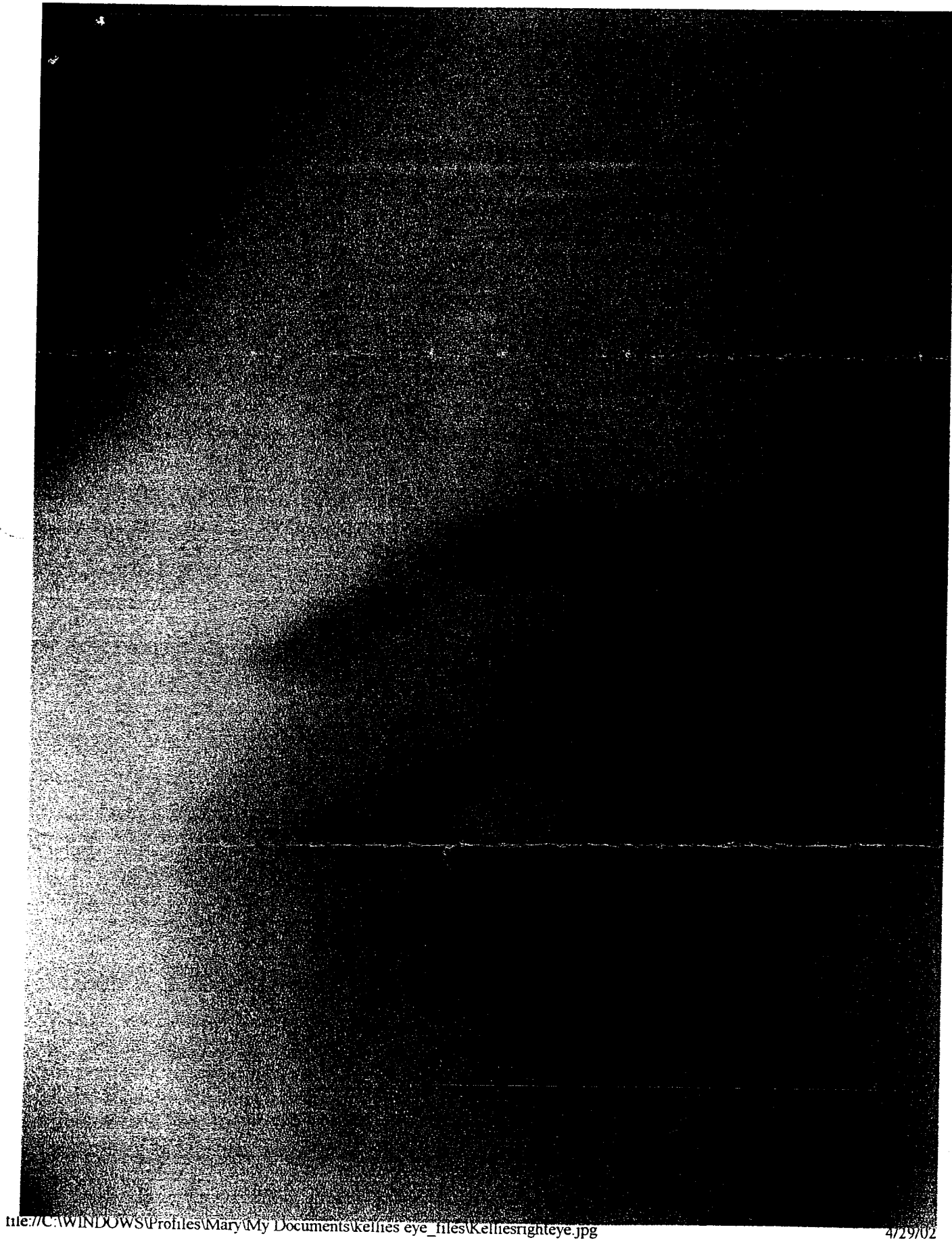
THE UHAUL TRUCK WAS TRAVELING WEST ON ROUTE 6 IN THE LEFT LANE WITHIN THE SPEED LIMIT. HE WAS GOING TO PASS THE WHITE TRUCK WHICH HAD SLOWED DOWN. HE (UHAUL) WAS CUT OFF BY THE WHITE TRUCK. HE HAD NO CHANCE FOR EVASIVE MANEUVERING".

SIGNED: JOSEPH TSCHUPP

VIOLATOR COPY

[illegible]



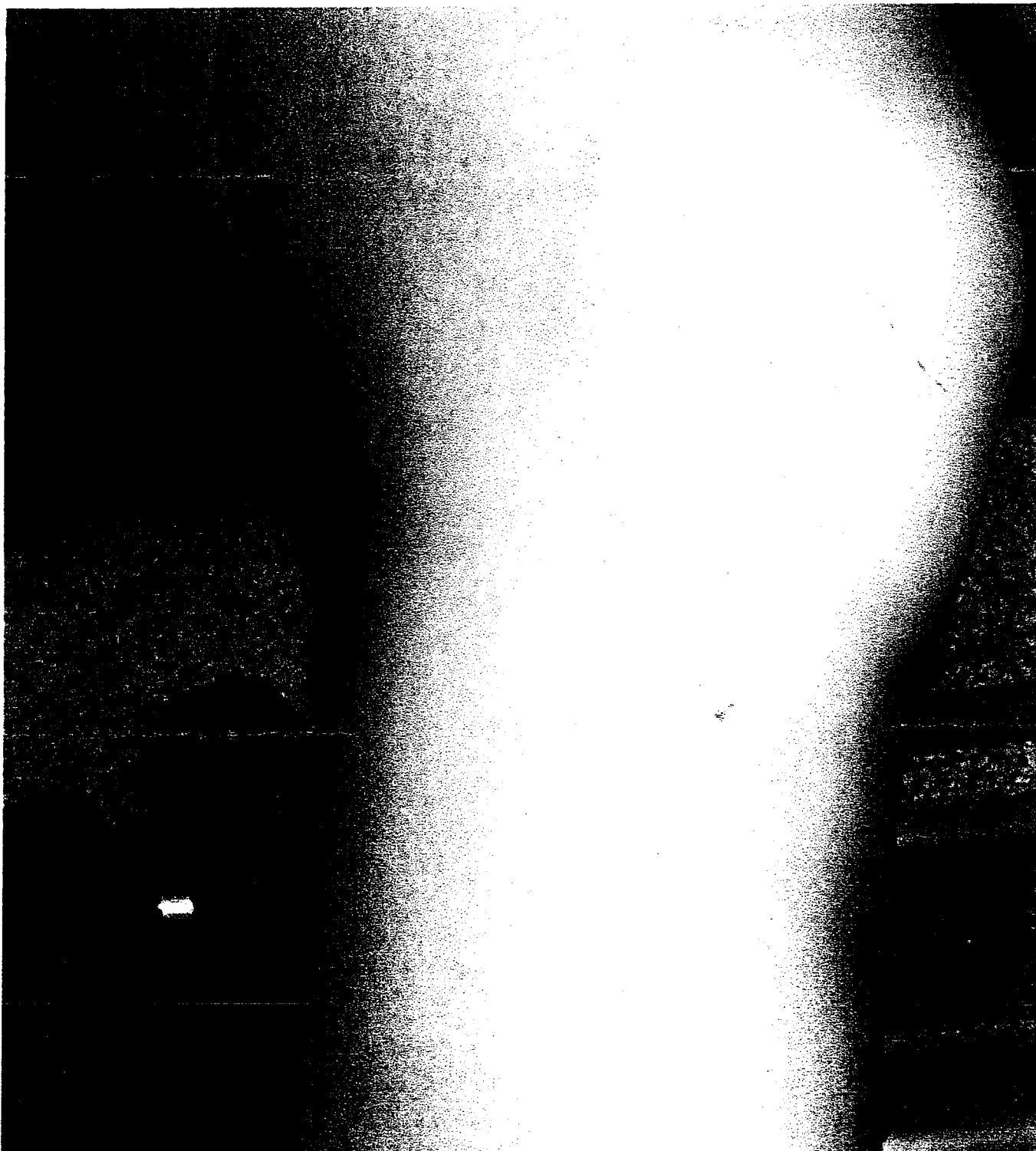


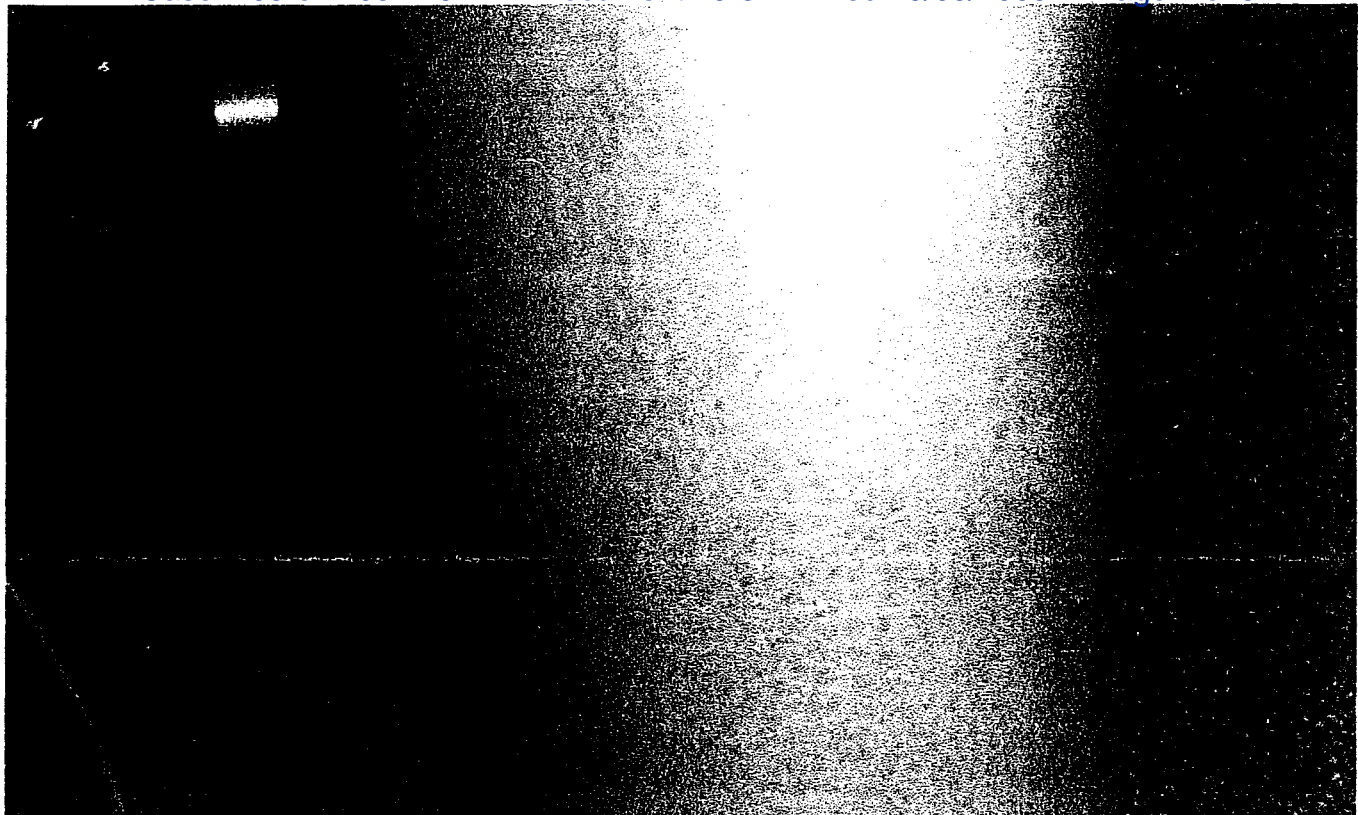
file:///C:/WINDOWS/Profiles/Mary/My Documents/kellies eye_files/Kelliesrighteye.jpg

4/29/02

Subj: Kellies right leg
Date: 1/18/02 12:12:54 PM Eastern Standard Time
From: [REDACTED]
Reply-to: [REDACTED]
To: [REDACTED]

This is a picture of kellies right leg.....



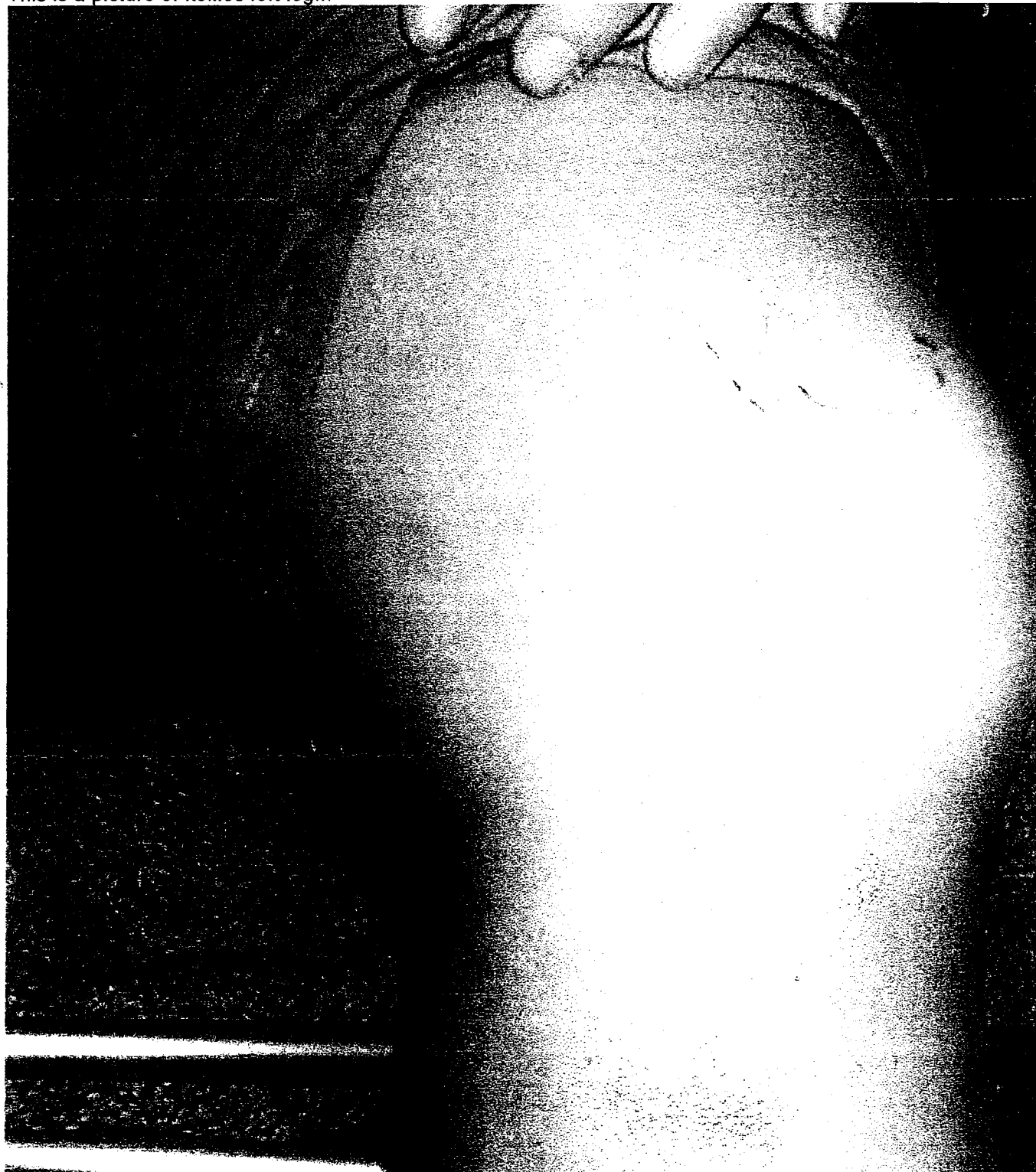


----- Headers -----

Return-Path: [REDACTED]
Received: from [REDACTED]
(v82.22) with [REDACTED]
Received: from [REDACTED]
with [REDACTED], Fri, 18 Jan 2002 12:12:17 -0500
Received: from [REDACTED]
for [REDACTED], Fri, 18 Jan 2002 12:10:04 -0500
Message-ID: [REDACTED]
Reply-To: [REDACTED]
From: [REDACTED]
To: [REDACTED]
Subject: Kellies right leg
Date: Fri, 18 Jan 2002 12:08:30 -0800
MIME-Version: 1.0
Content-Type: multipart/related;
type="multipart/alternative";
boundary="----- [REDACTED] -----"
X-Priority: 3
X-MSMail-Priority: Normal
X-Mailer: Microsoft Outlook Express [REDACTED]
X-MimeOLE: Produced By Microsoft [REDACTED]

Subj: Kellie left leg
Date: 1/18/02 12:11:03 PM Eastern Standard Time
From: [REDACTED]
Reply-to: [REDACTED]
To: [REDACTED]

This is a picture of kellies left leg...



678AN 139454N

REPORT: DARTMOUTH & WESTPORT

The Standard-Times, New Bedford, N

5 hurt in Route 6 accident

By CURT BROWN

Standard-Times staff writer

Five people were injured after two trucks collided yesterday on Route 6 eastbound near Maine Avenue.

Police said the crash happened at about 10:15 a.m. when a 2000 International truck, attempting to make a left-hand turn from the right lane on Route 6, collided

DARTMOUTH

with a 1990 Toyota pickup U-Haul, heading east in the left lane.

Sgt. Ken Cotta, public information officer for the Dartmouth Police Department, said the two trucks came to rest in the median.

Marshall Hazard, 34, of Rhode Island, the operator of the International, was in satisfactory condition at St. Luke's Hospital, according to a hospital spokeswoman.

His passenger, Robert O'Neil Jr., 29, of Rhode Island, was treated and released from Charlton Memorial Hospital, Fall River.

The operator of the U-Haul, John DeMatos, 32, and a passenger, Kellie Arruda, 23, both of Fall River, were in satisfactory condition yesterday at St. Luke's Hospital, a spokeswoman said.

A second passenger in the Toyota, Edan Morandi, 17, of Fall River, was treated and released from Charlton Memorial Hospital.

Both vehicles suffered extensive front end damage.



These two trucks suffered front-end damage yesterday in a collision along Route 6 in Dartmouth that sent five people to area hospitals.

BILL BELKNAP/Standard-Times special

FEB 25 2002

6 1 NOV 2003 1 00 PM

Discovery PLUS! VIN/Claims - Details
Date: 6/ 2/2003

Time: 1:43 PM

Reference: nn678an139454
Search Criteria: DEMATOS JOHN C

Requestor: ALA

*** SOCIAL SECURITY NUMBER:

031-60-4965 State: MASSACHUSETTS Year Issued: 1980 - 1982

*** THE FOLLOWING SUBJECTS MATCH ON SOCIAL SECURITY NUMBER AND HAVE A SIMILAR NAME:

DEMATOS, JOHN C 031-60-4965 Credit Header 2 (09/02)

***** ALL CREDIT HEADER SOURCES HAVE BEEN SEARCHED *****

*** SUBJECT'S ADDRESS HISTORY(* INDICATES RECORDS WITH THE MOST CURRENT DATE)
PUBLIC RECORDS WILL ONLY BE SEARCHED FOR THESE INDIVIDUALS:

DEMATOS, JOHN C

SS# 031-60-4965

*1238 BAY ST, FALL RIVER, MA 02724

Credit Header 2 (09/02)

629 HAMPSTEAD AVE, CASTLE ROCK, CO 80104

Credit Header 2 (05/02)

1770 PLEASANT ST, FALL RIVER, MA 02723

Credit Header 2 (04/02)

1776 PLEASANT ST, FALL RIVER, MA 02723

Credit Header 2 (03/02)

1770 PLEASANT ST APT 2, FALL RIVER, MA 02723

Credit Header 3 (12/01)

38 WATUPPA RD, WESTPORT, MA 02790

Composite Info (07/01)

229 PITMAN ST, FALL RIVER, MA 02723

Credit Header 2 (04/01)

38 WATUPPA RD, WESTPORT, MA 02790

Credit Header 2 (11/00)

Credit Header 2 (03/96)

Credit Header 3 (03/89)

Credit Header 1 (03/89)

229 PITMAN ST, FALL RIVER, MA 02723

Credit Header 1 (02/89)

Credit Header 3 (12/88)

5985 PELHAM DR, PORT ORANGE, FL 32127

Credit Header 2 (08/88)

11 COOK ST, FALL RIVER, MA 02724

Composite Info

Date of Birth: 02/1969

Credit Header 1

02/28/1969

Composite Info

02/28/1969

Credit Header 2

Phone: 386-7887448

Credit Header 2

508-7301746

Credit Header 2

675-9680

Credit Header 1

Gender: MALE

Credit Header 2

=====

*** THE FOLLOWING SUBJECT(S) WERE ALSO FOUND BUT HAVE DIFFERENT NAMES
AND SOCIAL SECURITY NUMBERS THAN YOUR SUBJECT
(PUBLIC RECORDS WILL NOT BE SEARCHED FOR THESE INDIVIDUALS):

DEMATOS, JOHN

229 PITMAN ST, FALL RIVER, MA 02723

Credit Header 2 (08/00)

Phone: 508-6461944

Credit Header 2

Gender: MALE

Credit Header 2

DEMATOS, JOHN C

1770 PLEASANT ST # 2, FALL RIVER, MA 02723

Credit Header 2 (10/01)

Gender: MALE

Credit Header 2

=====

*** POSSIBLE RELATIVES AND THEIR CURRENT ADDRESSES:

Name: DEMATOS DAWN M

Social Security# :031-60-5386

PO BOX 1249, WESTPORT, MA 02790

Name: DEMATOS JUSTIN

Social Security# :023-62-0145

108 THOMAS ST, FALL RIVER, MA 02723

Name: DEMATOS ALVARO

Name: DEMATOS ALVARO D

Social Security# :022-30-0842

Name: DEMATOS ALVARO J

Social Security# :022-30-0842

Name: DEMATOS DAWN M

Social Security# :031-60-5386

Name: DEMATOS JUSTIN

Social Security# :023-62-0145

Name: DEMATOS ROSLIND D
Social Security# :021-34-1767

Name: DEMATOS ROSLIND J
Social Security# :021-34-1767

11 COOK ST, FALL RIVER, MA 02724

Name: DEMATOS JUSTIN
Social Security# :023-62-0145

162 MCCLOSKEY ST, FALL RIVER, MA 02723

Name: DEMATOS DAWN M

242 ORCHARD ST, PORT ORANGE, FL 32127

Name: DEMATOS JUSTIN
Social Security# :023-62-0145

356 S MAIN ST, FALL RIVER, MA 02721

Name: DEMATOS ALVARO
Social Security# :022-30-0842

Name: DEMATOS ALVARO J
Social Security# :022-30-0842

Name: DEMATOS DAWN M
Social Security# :031-60-5386

Name: DEMATOS JUSTIN
Social Security# :023-62-0145

Name: DEMATOS JUSTIN A
Social Security# :023-62-0145

Name: DEMATOS ROSALIND

Name: DEMATOS ROSILIND
Social Security# :021-34-1767

Name: DEMATOS ROSLIND
Social Security# :021-34-1767

Name: DEMATOS ROSLIND D

Social Security# :021-34-1767

Name: DEMATOS ROSLIND J
Social Security# :021-34-1767

Name: DEMATTOS ALVARO J
Social Security# :022-30-0842

Name: MATOS ALVARO J
Social Security# :022-30-0842

38 WATUPPA RD, WESTPORT, MA 02790

Name: DEMATOS ALVARO D
Social Security# :022-30-0842

Name: DEMATOS JUSTIN A

Name: DEMATOS ROSILIND
Social Security# :021-34-1767

Name: DEMATOS ROSLIND
Social Security# :021-34-1767

5985 PELHAM DR, DAYTONA BEACH, FL 32127

Name: DEMATOS ALVARO J
Social Security# :022-30-0842

Name: DEMATOS DAWN M

5985 PELHAM DR, PORT ORANGE, FL 32127

=====

Ref : nn678an139454 Requestor : ALA3 Requested 06/02/03 14:03:09
ON-SITE CIVIL COURT SEARCHES - UPPER COURT

Return Date/Time: 06/05/03 18:00:39

REQUEST INFORMATION

Control #: 73136
Type: UPPER CIVIL LOOK UP

Subject Name: JOHN DEMATOS
DOB: 02-28-1969

CIVIL RECORD CHECK

Dates Searched: 06/03/1996 - 05/19/2003
County: Bristol
Search Type: State Civil Litigation Upper Court Search
Court: Bristol Superior Court-Taunton
Address: Superior Court-Taunton
9 Court St
Taunton, MA 02780

Total Hits: NO RECORD FOUND

=====

Ref : nn678an139454 Requestor : ALA3 Requested 06/02/03 14:02:00
MA ON-SITE CRIMINAL COURT SEARCHES - FELONY/MISDEMEANOR

Return Date/Time: 06/17/03 12:00:12

REQUEST INFORMATION

Control #: 73149
Type: MA FELONY/MISDEMEANOR

Subject Name: JOHN DEMATOS
DOB: 02-28-1969

CRIMINAL RECORD CHECK

Dates Searched: 06/03/1996 - 05/19/2003
County: Bristol
Search Type: Felony Index Search Include Misdemeanors
Court: Bristol Superior Court-Taunton
Address: Superior Court-Taunton
9 Court St
Taunton, MA 02780

Total Hits: NO RECORD FOUND
CRIMINAL RECORD CHECK

Dates Searched: 06/03/1996 - 05/19/2003
County: Bristol
Search Type: Misdemeanor Record Information
Court: Bristol Fall River Division District Court
Address: Fall River Division District Court
45 Rock St
Fall River, MA 02720

Total Hits: 5

Case Number 1: 9432CR7641
Case Date: 11/18/1994
Information on File: Name On File: JOHN DEMATOS

Date Of Birth On File: 02281969
Address On File: 229 Pitman Street Fall River MA
Identified By: Last Name; First Name; Date of Birth

Charge: Felony
Final Charge: Threatening To Commit A Crime
Charge Comment: Felony
Disposition Date: 05/05/1995
Disposition: Found Guilty
Sentence: Other Filed. Verified by name and date of birth.

Charge: Felony
Final Charge: Assault By Dangerous Weapon
Charge Comment: Felony
Disposition Date: 05/05/1995
Disposition: Found Guilty
Jail 2 years - Execution of sentence stayed day to day; stay revoked and de
Treatment Program Undergo batterer's counseling
Court Costs \$50

Charge: Felony
Final Charge: Malicious Destruction of Property Over \$250
Charge Comment: Felony
Disposition Date: 05/05/1995
Disposition: Found Guilty
Other Filed

Case Number 2: 9632CR2383
Case Date: 04/27/1996
Information on File: Name On File: JOHN DEMATOS
Date Of Birth On File: 02281969
Address On File: 379 Linden Street Fall River MA
Identified By: Last Name; First Name; Date of Birth

Charge: Misdemeanor
Final Charge: Assault & Battery
Charge Comment: Misdemeanor
Disposition Date: 05/24/1996
Disposition: Found Guilty
Sentence: Jail 9 months
Other No contact with victim. Verified by name and date of birth.

Case Number 3: 9732CR1739
Case Date: 03/30/1997
Information on File: Name On File: JOHN DEMATOS
Date Of Birth On File: 02281969
Address On File: 260 Fountain Street, D4 Fall River MA
Identified By: Last Name; First Name; Date of Birth

Charge: Misdemeanor
Final Charge: Assault & Battery
Charge Comment: Misdemeanor

Disposition Date: 11/14/1997
Disposition: Plead Guilty
Sentence: Jail 1 year, w/credit for 220 days. Verified by name
and date of birth.

Case Number 4: 9932CR005690
Case Date: 09/18/1999
Information on File: Name On File: JOHN DEMATOS
Date Of Birth On File: 02281969
Address On File: 36 Watuppa Ave. Westport MA
Identified By: Last Name; First Name; Date of Birth

Charge: Misdemeanor
Final Charge: Operating Under Influence of Liquor
Charge Comment: Misdemeanor
Disposition Date: 01/10/2000
Disposition: Found Guilty
Sentence: Probation 1 year
Treatment Program Attend alcohol program
Other Loss of license for 45 days. Verified by name
and date of birth.
Fined \$60

Charge: Misdemeanor
Final Charge: Negligent Operation of Motor Vehicle
Charge Comment: Misdemeanor
Disposition Date: 01/10/2000
Disposition: Found Guilty
Jail 6 months - suspended
Probation 6 months, consecutive. Verified by name an

Case Number 5: 0332CR003522
Case Date: 04/13/2003
Information on File: Name On File: JOHN DEMATOS
Date Of Birth On File: 02281969
Address On File: 1776 Pleasant Street Westport MA 02723
Identified By: Last Name; First Name; Date of Birth

Charge: Felony
Final Charge: Malicious Destruction of Property Over \$250
Charge Comment: Felony
Disposition Date: 07/31/2003
Disposition: Pending Next Court Date Scheduled for
Sentence: Other

=====

Ref : nn678an139454 Requestor : ALA3 Requested 06/02/03 14:03:09
ON-SITE CIVIL COURT SEARCHES - LOWER COURT

Return Date/Time: 06/18/03 09:00:19

REQUEST INFORMATION

Control #: 73139
Type: **LOWER CIVIL LOOK UP**

Subject Name: JOHN DEMATOS
DOB: 02-28-1969

CIVIL RECORD CHECK

Dates Searched: 06/03/1996 - 05/19/2003
County: Bristol
Search Type: State Civil Litigation Lower Court Search
Court: Bristol Fall River Division District Court
Address: Fall River Division District Court
45 Rock St
Fall River, MA 02720

Total Hits: NO RECORD FOUND

Match #: 1 Reason for Match: SSN of Claimant
Activity & Date: Property/Casualty 10/11/1992 File Number: 0C000394881
Type of Loss: Personal Automobile - Liability Bodily Injury Auto Related
Location of Loss: PLYMOUTH ST
City: WESTPORT State: MA Zip:
ISO Received: 05/14/1993
Company: SAFETY INSURANCE COMPANY Phone:
Address: 20 CUSTOM HOUSE ST
City: BOSTON State: MA Zip: 02110
Claim Number: 371062

Involved Party: Claimant
Name: DEMATOS,JOHN,
Address: 38 WATUPA RD
City: WESTPORT State: MA Zip: 02790
DOB: 02/28/1969
-> **SSN: 031604965 (SSN ISSUED MA/1980-1982)**
Injury/Damage: NECK BACK

Service Provider: Medical Doctor(M.D.)
Name: FALL DAVID
Address: 332 EASTERN AVE
City: FALL RIVER State: MA Zip:

Involved Party: Insured

Name: GUSWSKI FREDERICK

Match #: 2 Reason for Match: SSN of Claimant

Activity & Date: Property/Casualty 12/18/1999 File Number: 4M000629064

Type of Loss: Commercial Automobile - Liability Bodily Injury Auto Related

Location of Loss: ROBESON AND PRESIDENT AVE

City: FALL RIVER State: MA Zip:

ISO Received: 02/01/2000

Company: ARBELLA MUTUAL INSURANCE COMPANY

Phone: 5089234501

Address: 11 RIVERSIDE DR *

City: LAKEVILLE State: MA Zip: 02347

Claim Number: 661294217002

Involved Party: Claimant

Name: DEMATOS,JOHN,

Address: 38 WATTUPA RD

City: WESTPORT State: MA Zip:

DOB: 02/28/1969

→ **SSN: 031604965 (SSN ISSUED MA/1980-1982)**

Injury/Damage: NECK, LT SHOULDER

Service Provider: Lawyer For Claimant

Name: SILVA JOSEPH

City: FALL RIVER State: MA Zip:

Involved Party: Insured

Name: LOURO ALEX T 2024642840

Address: MA

Match #: 3 Reason for Match: SSN of Insured

Activity & Date: Property/Casualty 04/13/2001 File Number: 8E000955672

Type of Loss: Personal Automobile

ISO Received: 11/15/2001

First Payment: 04/17/2001

Company: METROPOLITAN PROPERTY AND CASUALTY INS C Phone:

Address: PO BOX 350

City: WARWICK State: RI Zip: 02887

Claim Number: WBA448920

Policy Number: 031604965A0

Operator is Policyholder #1.

Coverage Type: Collision

Claim Status: Closed

Claim Amount: 1,842

Coverage Type: Liability - Property Damage

Claim Status: Closed

Claim Amount: 907

Involved Party: Insured

Name: DEMATOS,JOHN,C

Address: 38 WATUPPA ROAD

City: WESTPORT State: MA Zip: 02790

→ SSN: 031604965 (SSN ISSUED MA/1980-1982)

VIN: 1LNBM93E5JY604358 (PASS) Year: 1988

Make: LINCOLN Model: MARK VII

Involved Party: Insured Driver

Name: DEMATOS,JOHN,

Address: 38 WATUPPA ROAD

City: WESTPORT State: MA Zip: 02790

DOB: 02/28/1969

Driver Lic: 031604965 State: MA

AUTUMN, 1999
COMMERCIAL VEHICLES

Case 1:05-cv-01037-DA Document 10-4

Filed 10/05/2005 Page 12 of 12

DIVISION NO.

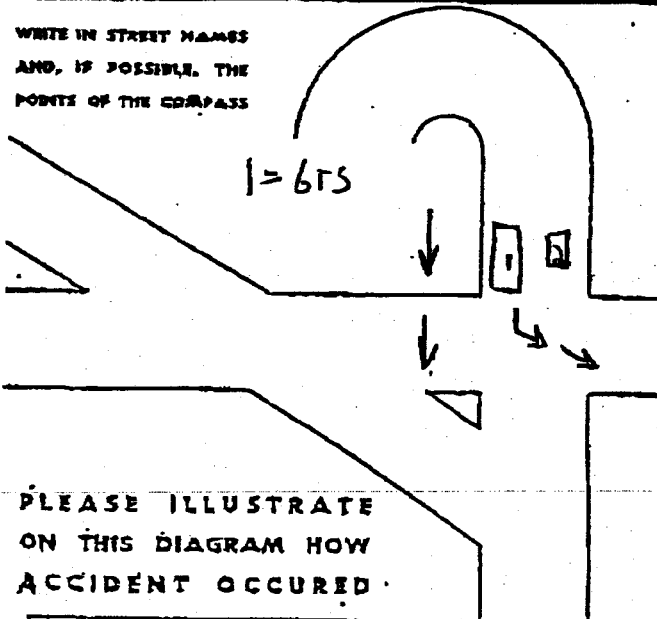
ENTERED 1-18-02

(C) (K) ✓

9

1. POLICY-HOLDER	Policyholder Name GENERAL TRANSPORTATION SERVICES, INC.		Policy Number		Phone (315) 451-8840	
	Business Address 5 LUMBER WAY		City LIVERPOOL		State NEW YORK	Zip Code 13090
2. POLICY-HOLDER VEHICLE	Make and Year 1999 Intl 4700		Unit No. 693647		Est. Cost of Repairs (If known) N/A	
	Parts Damaged 7 Continental St Apt 17 NARRAGANSETT RI 02882 401-789-5589 Driverside Box - 2 panels, FRANKLIN, 920-400-11-61, 1-800-4-A-MASTER, CAB					
3. DRIVER & PASSENGERS OF POLICY-HOLDER VEHICLE	Driver's Name MARSHALL HAZARD S-21-01 (4)					
	Driver's License No. 8452.927			49297 RI		
	Passenger Name Robert O'Neil			LHTSCAALOYH659162		
4. OTHER VEHICLE OR PROPERTY INVOLVED	Owner's Name and Address N/A				Phone and Address	
	Vehicle Make and Year 1990's TOYOTA DHALL 12'		License Plate No. N/A		Ins. Carrier N/A	
	Nature of Damage TOT-1 CAB / RIGHT BOX				Est. Cost of Repair \$ 70741.4455	
5. OPERATOR AND PASSENGERS OF OTHER VEHICLE	Operator's Name and Address NO INFO AVAILABLE				Phone	
	Passenger Name and Address 2 PASSENGERS				Phone	
	Passenger Name and Address N/A				Phone	
6. DATE, TIME PLACE	Date of Accident 1/17/02		Time 11:00 PM	Exact Location of Accident or Loss Street 764 STATE RD City DARTMOUTH State MA		
	Reported to Police Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		What Station Dartmouth, Mass		Date Reported 1/17/02	
7. POLICE AND WITNESSES	Witness Name and Address				Phone	

WRITE IN STREET NAMES
AND, IF POSSIBLE, THE
POINTS OF THE COMPASS



PLEASE ILLUSTRATE
ON THIS DIAGRAM HOW
ACCIDENT OCCURRED.

DRIVER'S DESCRIPTION OF ACCIDENT

While heading west on Rt 66 to
Truck cut in front of vehicle
In high speed lane while attempting
U-TURN. Three passengers in
U-Haul Truck are transported to hospital

Sign Here

TERMINAL MANAGER'S COMMENTS

85 gallons of fuel spilled outside
HAZ-MAT contacted. Driver + Helper
Treated and released. No fatalities.
Driver (675) cited

Sign Here

Fax to (315)453-5637 ON THE DAY OF THE ACCIDENT.